

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Toshimitsu BABA et al. : **Mail Stop: PCT**  
Serial No. 10/521,766 : **Attorney Docket No. 2005-0022A**  
Filed January 19, 2005 :  
**BODY FAT PERCENTAGE-LOWERING**  
**AGENT OR BODY FAT**  
**PERCENTAGE INCREASE INHIBITOR** :  
**[Corresponding to PCT/JP2003/005305**  
**Filed April 24, 2003]**

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☒ a full or partial English language translation submitted herewith,
  - b. ☒ a foreign patent office search report (International Search Report) (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☒ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report (International Search Report) citing one or more of the references is enclosed.
6. ☒ Comments:

There are two clerical errors in the International Search Report. "EP 380348 A2" and "EP 10-203994 A" should read as "EP 380343 A2" and "JP 10-203994 A". These corrections are noted on the attached copy of the International Search Report.

Respectfully submitted,

Toshimitsu BABA et al.

By:



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April 19, 2005

Sheet 1 of 2		INFORMATION DISCLOSURE STATEMENT					
FORM PTO 1449 (modified)  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) <i>(Use several sheets if necessary)</i>  Date Submitted to PTO: April 19, 2005		ATTY DOCKET NO. 2005-0022A		SERIAL NO. 10/521,766			
		APPLICANT Toshimitsu BABA et al.					
		FILING DATE January 19, 2005				GROUP	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
AA							
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
/JH/	AB	2002-238442	Japan				
/JH/	AC	2002-114694	Japan				
/JH/	AD	0 380 343	Europe				
/JH/	AE	10-203994	Japan				
/JH/	AF	9-23822	Japan				
/JH/	AG	8-173052	Japan				
/JH/	AH	2000-204369	Japan				
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
/JH/	AI	Tatsuya Moriyama et al., "Serum Triglyceride Level-Lowering Activity by Soybean 7S Globulin ( $\beta$ -Conglycinin) Feed in Mouse", Nihon Nogei Kagaku Taikai Koen Yoshishu, vol. 2002, page 108, March 5, 2002.					
/JH/	AJ	Toshiaki Aoyama et al., "Reduction by Phytate-reduced Soybean $\beta$ -Conglycinin of Plasma Triglyceride Level of Young and Adult Rats", Biosci. Biotech. Biochem., vol. 65, no. 5, pages 1071-1075, 2001.					
/JH/	AK	Makoto Kito, "A Certain Soybean Protein Removes Neutral Fats", Japan Food Science, vol. 41, no. 9, pages 92-94, September 5, 2002.					
/JH/	AL	Takuo Okita et al., "Effects of Dietary Soybean Globulins on Plasma and Liver Lipids and on Fecal Excretion of Neutral Sterols in Rats", J. Nutr. Sci. Vitaminol., vol. 27, no. 4, pages 379-388, 1981.					
/JH/	AM	M.A. Ritter, et al., "In vitro Digestibility Phytate-reduced and Phenolics-reduced Soy Protein Isolates", J. Food. Sci., vol. 52, no. 2, pages 325-327, 1987.					
/JH/	AN	M. Samoto et al., "Improvement of the Off-flavor of Soy Protein Isolate by Removing Oil-body Associated Proteins and Polar Lipids", Biosci. Biotech. Biochem., vol. 62, no. 5, pages 935-940, 1998.					
EXAMINER		/Julie Ha/		DATE CONSIDERED		4/19/2005	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: April 19, 2005

ATTY DOCKET NO.  
2005-0022ASERIAL NO.  
10/521,766APPLICANT  
Toshimitsu BABA et al.FILING DATE  
January 19, 2005

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ							
	AK							
	AL							
	AM							
	AN							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

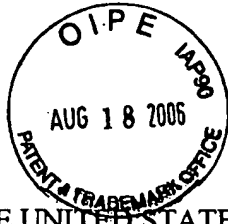
/JH/	AO	Tadashi Ogawa et al., "Preparation of Hypoallergenic Soybean Products", Daizu Tanpakushitsu Kenkyukai Kaishi, vol. 15, pages 104-108, 1994.
/JH/	AP	Kengo Ishihara et al., "Effects of Soybean Peptide on Suppression of Body Fat Accumulation in Exercised Mice", Daizu Tanapakushitsu Kenkyuaki Kaishi, vol. 18, pages 96-100, 1997.
/JH/	AQ	Kiyoharu Takamuatsu, "Soybeans and Lipid Metabolism", Japan Oil Chemists, Society Kansai Shibu Kaki Seminar, vol. 40, pages 45-55, July, 2000.

EXAMINER

/Julie Ha/

DATE CONSIDERED

4/19/2005



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2679**  
Toshimitsu BABA et al. : Attorney Docket No. 2005\_0022A  
Serial No. 10/521,766 : Group Art Unit ~~1761~~ 1654  
Filed January 19, 2005 :  
BODY FAT PERCENTAGE-LOWERING  
AGENT OR BODY FAT PERCENTAGE  
INCREASE INHIBITOR :  
THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application PCT/ \_\_\_\_\_; and/or
- ☐ each reference previously cited in prior parent application Serial No.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, or

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

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after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

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- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☒ a foreign patent office Office Action (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office Office Action citing one or more of the references is enclosed.
6. ☒ Comments:

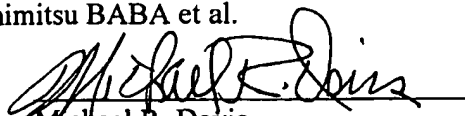
The US '178 reference cited on the attached PTO-1449 form corresponds to the CN '088 reference cited on this form.

The attached Office Action issued in the Chinese patent application corresponding to the present U.S. application, cites two literature references on page 3, in addition to the CN '088 reference. Both of these literature references are cited in Applicants' IDS of April 19, 2005.

Respectfully submitted,

Toshimitsu BABA et al.

By:

  
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August 18, 2006

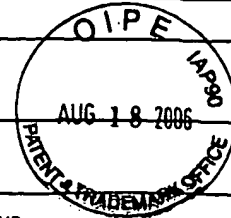


## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1448 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: August 18, 2006

ATTY DOCKET NO.  
2005\_0022ASERIAL NO.  
10/521,766APPLICANT  
Toshimitsu BABA et al.FILING DATE  
January 19, 2005GROUP  
1761

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/JH/	AA	6,303,178	10/2001	Tsumura et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
/JH/	AJ	1256088	6/2000	China			
	AK						
	AL						
	AM						
	AN						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

/Julie Ha/

DATE CONSIDERED

8/18/2006

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.